

**Response to Questions in
Information Request Letter
For Newtown Creek Superfund Site
Kings and Queens County, New York
Dated September 16, 2013**

**YRC Freight Terminal
1313 Grand Street
Brooklyn, New York**

YRC, Inc. dba YRC Freight
1099 Roe Avenue
Overland Park, KS 66211

November 18, 2013

**YRC Inc , dba YRC Freight's Response to the EPA's Request for Information
Pursuant to Section 104(e) CERCLA on the Newtown Creek Superfund Site:
Response for 1313 Grand Street Facility in Brooklyn, New York**

INTRODUCTION

YRC Inc. (YRC), dba YRC Freight provides the following response to the EPA's Request for Information pursuant to Section 104(e) of CERCLA for the Newtown Creek Superfund Site in Brooklyn, New York ("Newtown Creek"). YRC respectfully objects to the Request for Information to the extent that any of the requests seek documents and information that are privileged by the attorney-client privilege, the party communication privilege, the joint defense privilege, the consulting expert exemption, the attorney work product privilege or the work product privilege. YRC further objects to any of the requests that seek the production of documents or information that are in the public domain as to which the burden of obtaining or deriving the documents or information sought is substantially the same for the EPA as for YRC. YRC additionally objects to any of the definitions or instructions to the extent they purport to define specific terms in a manner inconsistent with their customary definitions.

Subject to, and without waiving these objections, enclosed please find YRC's response to the EPA's Request for Information for its facility located at 1313 Grand Street in Brooklyn, New York. YRC Inc. reserves the right to supplement or amend its responses to the EPA's Request for Information if additional information or documents are subsequently discovered.

On behalf of YRC Inc., dba YRC Freight (YRC Freight), ARCADIS has conducted a full and thorough investigation of environmental related matters associated with the YRC Freight-Brooklyn terminal located at 1313 Grand Street, Brooklyn, New York 11211. The investigation involved: (1) review of all available documents within YRC Freight's custody or control, which were reasonably believed to contain, or have the potential to contain information responsive to the Request for Information; (2) Review of all available files from ARCADIS, which were reasonably believed to contain, or the potential to contain information responsive to the Request for Information; (3) Review of files from ECS, which were reasonably believed to contain, or the potential to contain information responsive to the Request for Information; (4) identification, location and interviews of current and former YRC Freight or Roadway Express employees who worked at or for the subject site; and (5) interviews with Corporate Environmental staff that would have environmental knowledge of the Facility. It should be noted that some files that were stored locally at the Brooklyn terminal were lost as a result of flooding from Hurricane Sandy in 2012. These pertain mostly to invoices and documents associated with determining the quantities of motor oil, transmission fluid, brake fluid, etc. that were used at the facility and documents pertaining to volumes of used fluids disposed of off-site.

BACKGROUND AND RELATIONSHIP OF YRC FREIGHT AND ROADWAY EXPRESS, INC.

YRC Freight is a less-than-truckload (LTL) carrier of motor freight (i.e.- a trucking company). YRC Freight's business operations essentially consist of picking up freight from customer locations, unloading the freight from the trailers at a local terminal (performed on the dock) and then re-loading the freight back onto other trailers, either for delivery to a local customer or to another regional terminal for subsequent transfer to another trailer for delivery. It is essentially a service company and does not produce nor manufacture anything. YRC Freight has been in operation for over 75 years, with general operations and procedures remaining essentially the same during that time period.

Waste materials typically generated at YRC's freight terminals include cardboard (dunnage), wood (broken pallets), plastic (shrink wrap and other protective wrap), metal, paper, dirt (from floor sweepings) and office trash. The subject site is currently operated by YRC, Inc. dba YRC Freight and owned by 1313 Grand Street Realty, LLC. In 2004, YRC Worldwide Inc. purchased Roadway Express, Inc. ("Roadway") and merged YRC Transportation, Inc. into Roadway and eventually changed its name to YRC, Inc. dba YRC Freight ("YRC Freight"). Prior to this merger, the facility was owned and operated by Roadway. Thus, it has had common ownership since the property was purchased by Roadway in 1985. For response and all practical purposes, Roadway and YRC Freight can be considered the same owner/operator, thus there is no distinction made between YRC Freight and Roadway in response to the questions.

FILES CONSULTED FOR REVIEW OF INFORMATION**YRC-Environmental Services Department Files**

- Fuel File
- 187 Brooklyn, NY- Storm Water- Folder 1 of 3
- 187 Brooklyn, NY- Storm Water- Folder 2 of 3
- 187 Brooklyn, NY- Storm Water- Folder 3 of 3
- Brooklyn NY- Fuel Tank Registration Folder
- Brooklyn, NY- Heating Oil UST Removal and Closure Folder (And AST Permit)
- Brooklyn, NY- One (1) 4,000 Fuel Tank Folder
- Brooklyn, NY- AST Installation Folder

ARCADIS Files

- Brooklyn, NY- Environmental Disclosure
- Brooklyn, NY- Preliminary Environmental Assessment

Properties (Engineering) Department Files

- Brooklyn, NY- Erosion Control Construction File
- Brooklyn, NY- Erosion Control- Folder 2 of 2
- Brooklyn, NY- Erosion Repair
- Brooklyn, NY- Report Folder

Real Estate Department Files

- Brooklyn, NY- Lease and Purchase File
- Brooklyn, NY- NATMI Sale/Leaseback Files (4)

Tax Department Files

- Brooklyn, NY- Real Estate Taxes 1990 – 2005

PEOPLE CONTACTED/INTERVIEWED FOR INFORMATION

- Ruben D. Byerley
Manager-Environmental Services and Properties
YRC Freight
10990 Roe Avenue
Overland Park, KS 66211
Office: 913-344-3644
Mobile: 913-575-9563
Ruben.byerley@yrcw.com
Current Manager of Environmental Services for YRC Freight.
- Steven R. Shinnars
Director - Properties
YRC Freight
10990 Roe Avenue
Overland Park, KS 66211
Telephone: (913) 344-3615
Facsimile: (913) 234-8940
Email: Steve.shinnars@yrcw.com

Current Senior Manager of Environmental Services for YRC Freight

- Robert E. Zimmermann, Senior Project Manager, PIC
ARCADIS
222 South Main St., Suite 300
Akron, OH 44308
(330) 434-1995
bzimmermann@arcadis-us.com
Former Manager of Environmental Services Dept. for Roadway/YRC from 1989 to 2005; Environmental consultant to YRC from 2005 to Present.
- Regina Godwin
ECS
10749 Pearl Road, Suite 1D
Strongsville, OH 44136
(330) 384-2324
Former Environmental Services Dept. Executive Assistant for Roadway and currently environmental consultant for YRC.
- Jeffrey C. Lawson, Branch Manager
ECS
10749 Pearl Road, Suite 1D
Strongsville, OH 44136
(440) 503-1532
Former Environmental Services Dept. employee for Roadway and currently environmental consultant for YRC.
- Paul Dooley, YRC Service Center Manager- Brooklyn Terminal
(718) 308-0234
Cell: (917) 939-8000
Service Center Manager- Brooklyn Terminal March 2013 to Present
- James Sullivan, YRC Operations Manager- Brooklyn Terminal
(718) 308-0200
Former YRC Terminal/Service Center Manager at Brooklyn terminal 2008 to March 2013. Currently operations manager at Brooklyn.

- Dave Covell, YRC Service Center Manager- Albany, NY
(518) 346-4227
Former YRC Terminal/Service Center Manager- Brooklyn from 2003 to 2008.
- Lamont Dale- Service Center Manager for YRC- Washington, D.C.
7600 Preston Drive
Landover, MD 20785(301) 772-2300

Former Terminal/Service Center Manager for YRC-Brooklyn
- Steven McBurney, P.E.
Ohio Gratings, Inc.
Canton, Ohio
(330) 478-3608
smmcburney@ohiogratings.com
Former Roadway/YRC Properties Dept. (Engineering) Manager and Project Manager for approx. 25 years, thru 2013. Upper level oversight of bulkhead reconstruction along Newtown Creek.
- Frank Hammer
Goodyear Tire & Rubber Co.
(330) 796-7219
Cell: (330) 612-4257
Former Properties Dept. Engineer and Project Manager handling repairs to bulkhead along Newtown Creek.
- John Starvaggi
(330) 814-1099
Properties Dept. employee and knowledgeable on file location.
- Dan Mendiola, P.E.
(440) 842-6501
Former (and last) Properties Dept. engineer in Akron Headquarters.
Familiar with bulkhead construction at Brooklyn terminal.
- Tammy Cooper
YRC- Overland Park, KS
(800) 846-4300
Familiar with how to access Real Estate and Properties Department files.

List of Appendices

Appendix

- A - Copies of Deeds and Leases
- B - ATC Phase I ESA
- C - Site Plan Showing all Features and Activity Locations
- D - Historical Maps and Surveys
- E - Bank/Bulkhead Stabilization
- F - Stormwater Pollution Prevention Plan
- G - Mobil Oil Corporation – Removal of 16 550-gallon USTs
- H - 1,000-gallon Fuel Oil UST Removal and In-Place Closure of 3,000-gallon Fuel Oil UST
- I - Apex UST Removal Report
- J - 1,000-gallon FRP Tank Removal – Reliance Report
- K - Additional Site Investigation Reports & Correspondence
- L - Stormwater Permits and Sampling Reports
- M - Stormwater Evaluation Report
- N - Sanitary Sewer Bill
- O - Tank Permits and Certification
- P - MSDS Sheets
- Q - Notice of Violations (NYCFD)
- R - Annual Financial Report – Form 10K-2012

REQUEST FOR INFORMATION

Section 1.0 Company Information

1. Company Identification. Provide the following information with respect to the Company (see Definition 7).

a.

RESPONSE: YRC, Inc. dba YRC Freight (Successor company to Roadway)
10990 Roe Avenue
Overland Park, KS 66211

b.

RESPONSE: YRC Inc. is a corporation organized under the laws of Delaware and is authorized to do business in the State of New York. On October 1, 2008, Roadway Express merged with Yellow Transportation, Inc. and changed its name to Yellow Roadway Corp. and on October 10, 2008, Yellow Roadway Corp. further changed its name to YRC Inc. (YRC). YRC remains a subsidiary of YRC Worldwide Inc.

c.

RESPONSE: James L. Welch

d.

RESPONSE: YRC, Inc. (YRC), dba YRC Freight is a successor Corporation to Roadway Express, Inc. (Roadway), so they are essentially the same company with the same ownership. On October 1, 2008, Roadway Express merged with Yellow Transportation, Inc. and changed its name to Yellow Roadway Corp. and on October 10, 2008, Yellow Roadway Corp. further changed its name to YRC Inc. (YRC). YRC remains a subsidiary of YRC Worldwide Inc.

e.

RESPONSE: YRC Inc. is a subsidiary of the parent company, YRC Worldwide Inc.

2. ***Future EPA Communications.*** *If the addressee of this letter requests that future communications from EPA regarding the Site be sent to a particular individual or office, provide the name, address, telephone number, e-mail address and capacity of such individual or office.*

RESPONSE:

Ruben Byerley, Environmental Manager
YRC, Inc. dba YRC Freight
10990 Roe Avenue
Overland Park, KS 66211
Telephone: (913) 344-3644
Facsimile: (913) 234-8940
Email: Ruben.byerley@yrcfreight.com

Section 2.0 Company's Ownership/Operator Information of the Facilities and Newtown Creek

3. ***Company's Relationship to each Facility*** *Identify the Company's relationship to each Facility (Note: Please provide a separate response for each Facility as provided by Direction number 2, above), including:*

a.

RESPONSE: Roadway originally began leasing this facility on January 2, 1980 (Terminal Summary from 1958 and lease agreement in Real Estate file) and subsequently purchased the Facility on March 1, 1985 (List of Occupancy Dates and purchase contract in Real Estate file). Roadway was bought by Yellow and subsequently merged operations on September 13, 2008, becoming YRC, Inc. dba Yellow Freight. YRC sold the facility to North American Terminals Management, Inc. (NATMI) on February 1, 2009 and entered into a lease agreement with NATMI. Subsequently, NATMI sold the Grand Street Facility to 1313 Grand Street Realty, LLC on January 24, 2013. YRC is the lessee. Pertinent Real Estate documents (lease agreement and sales contract) are located in **Appendix A**.

Owner:

1313 Grand Street Realty, LLC
203 Meserole Avenue
Brooklyn, NY 11222
Attn: Gina Argento
Telephone: 718-349-9146
ginabws@gmail.com

Operator:

YRC, Inc. dba YRC Freight
10990 Roe Avenue
Overland Park, KS 66211

b.

RESPONSE: The respondent is the current operator and former owner of the subject property. Roadway Express, Inc. began operating at the property on January 2, 1980. Roadway Express, Inc. leased the property from Spector Freight System Inc./Spector Red Ball, Inc. (Spector) and later purchased the property from Spector and American Property Investors III (API) thru bankruptcy court on February 28, 1985. Roadway subsequently became YRC who later sold the site to NATMI on February 1, 2009. Then, the current owner, 1313 Grand Street Realty, LLC purchased the property from NATMI on January 24, 2013.

c.

RESPONSE:**Date of Acquisition:**

Roadway: February 28, 1985;
NATMI: February 1, 2009

Period of Ownership:

Spector: unknown – 2/28/1985;
Roadway – 2/28/1985 to 2/1/2009;
NATMI: 2/1/2009 to 1/24/13;-
1313 Grand Street Realty, LLC: 1/24/13 to present.

Leasing:

Roadway leased the site from Spector from 1/2/1980 to 2/28/1985;

YRC has leased the site from NATMI from 2/1/2009 to 1/24/13. Then, 1313 Grand Street Realty, LLC to present.

Activities: Motor Freight Terminal with fueling and light vehicle maintenance activities (preventive maintenance activities).

d.

RESPONSE: Copies of currently available documents confirming the acquisition, sale, and lease of the property are included in **Appendix A**.

e.

RESPONSE: Not applicable.

4. Operations at the Facilities.

a.

RESPONSE: YRC began operating at the site in January 1980, via a lease agreement with Spector Freight System. The Facility was a pre-existing trucking terminal with a small truck repair facility at the time of leasing. YRC later bought the property from the lessor in February 1985 and continued operating the Facility as a trucking terminal with the light truck maintenance facility. YRC later sold the property to NATMI who, in turn, sold the property to 1313 Grand Street Realty, LLC. From January 1980 until present, Roadway/YRC has been the sole operator at the Facility, which has been used for motor freight operations (truck terminal) and preventive maintenance activities on company owned vehicles. Business operations have not changed since the site was purchased by NATMI in February 2009, and later purchased by 1313 Grand Street Realty, LLC from NATMI in January 2013.

Operations included:

- The loading dock for the transfer of freight (98' x 417') with 73 loading doors;
- Administrative, dispatching, and office activities in a two-story building located on the southern portion of the property overlooking the loading dock (71.65' x 70' x 2-story);
- Storage on the first floor of the office building;
- A small garage (60' x 55') for truck maintenance (e.g., lights, batteries, oil changes, etc.); and
- Fueling operations.

The remainder of the site is asphalt-paved and was used for the parking of trucks, trailers, and employee vehicles.

b.

RESPONSE: YRC commenced all operations in 1980, following the lease of the property from Spector. YRC purchased the property from Spector in 1985 and owned it until February 1, 2009 when the site was sold to NATMI, who in January 24, 2013 sold it to 1313 Grand Street Realty, LLC. YRC is presently the operator at the Facility.

Freight is picked up from customers, unloaded onto the dock and then moved cross-dock into other trailers for either local delivery or transport to another facility to be unloaded. Vehicle preventative maintenance activities (light maintenance/repairs) have been conducted on company vehicles (tractors and trailers) in the small garage located on-site. These include:

- tire inflation,
- fluid changes or addition,
- light bulb and wiper blade repair or replacement,
- belts, hoses, preventive maintenance, and
- general safety checks and inspections.

Chemicals, including but not limited to motor oil, brake fluid, transmission fluid, windshield wiper fluid, antifreeze, and lubrication oil are stored in the garage. Fueling of the fleet trucks is currently conducted on the property by an outside contractor, also known as “wet-hose fueling”. A fleet fueling variance was issued by the New York City Fire Department (NYCFD) in a letter dated August 3, 2011. A copy of that document is included in **Appendix B**. Roadway/YRC conducted fueling operations at the site in the past, as the site previously had one 2,000-gallon diesel underground storage tank (UST), two 4,000-gallon diesel USTs, associated piping, and a dispenser unit. These were closed and removed from the property on September 29, 1998. The business operations conducted by YRC during the period they operated at the facility are described in a Phase I Environmental Site Assessment (ESA) conducted by ATC dated April 27, 2009. This report is included in **Appendix B**.

[Source: ATC Phase I ESA, dated April 27, 2009; Conversations with current and previous Terminal Managers; UST Closure reports; Institutional knowledge]

c.

RESPONSE: Not applicable. YRC has not used vessels at the Grand Street Facility.

d.

RESPONSE: Pertinent drawings indicating the locations where YRC conducted transportation related activities (i.e., loading docks, office, and garage) are included in **Appendix C**, in particular on drawing A-1 Site Plan and Details.

5. **Facility Plan and Historic Maps, Drawings, Surveys and Photographs of the Facility.**

a. *Facility Plan*

RESPONSE: Included in **Appendix C**, if present, in particular on drawing A-1 Site Plan and Details. Drawings of the ASTs and former USTs are included in **Appendix C**. Whatever facility drawings were available were included in this response. Plans showing sanitary and/or storm sewers were not located.

b. *Historic Photos, Maps, Surveys, Etc.*

RESPONSE: Several surveys and other maps of the property were found in YRC's electronic on-base files. Similar maps were also found in various files reviewed. These are included in **Appendix D**. YRC does not have copies of Sanborn maps or historic photographs (including aerial photos). Historic aerial photographs, Sanborn maps, and topographic maps are referenced in the Phase I ESA report (Appendices F through G) previously referenced. One low angle oblique aerial photo of the terminal was found in a manual containing aerial photos of numerous YRC Facility terminals. This is included in **Appendix D**.

6. **Current and Historic Depiction of the Facility**

a.

RESPONSE: Not applicable. YRC does not engage in scrap metal processes or have infrastructure in place to facilitate said processes in business operations at the Grand Street Facility. A dumpster is placed near the garage to place scrap metal into, which is periodically picked up by a local vendor for recycling.

b.

RESPONSE: See Response to Question No. 5.b. The configuration of the facility when Roadway bought the property has remained essentially unchanged since the original lease

in 1980. Documents pertaining to current and previous configurations are presented in **Appendix D.**

7. **Ownership of Newtown Creek.** At the present time or at any time in the past, has the Company:

a.

RESPONSE: No.

b.

RESPONSE: No.

c.

RESPONSE: Not applicable.

8. **Activities in Newtown Creek.**

a.

RESPONSE: No activities were conducted over, on or under Newtown Creek. Trucking activities were conducted adjacent to the creek on YRC property as described previously.

b.

RESPONSE: No. YRC has not at any time conducted any sampling activities within Newtown Creek.

c.

RESPONSE: No.

d.

RESPONSE: No.

e.

RESPONSE: No.

f.

RESPONSE: Not applicable.

9. **Bank Erosion, Overland Transport and Overwater Activities at or From the Facility to Newtown Creek.**

a. *Description of Bulkheads and Bank Stabilization.*

RESPONSE: The existing bulkhead was repaired/stabilized by Roadway in 2000/2001. (Conversation with Frank Hammer, former engineer with Roadway/YRC). The work was conducted by URS, Cleveland office. Basically rip-rap consisting of huge boulders and geogrid was used to stabilize the bulkhead, which had some erosion issues. Following Hurricane Sandy in 2012, the bulkhead was inspected and found to be intact with no erosion issues.

Construction details, reports, photographs, and construction drawings describing the bank stabilization systems were retrieved from Iron Mountain record storage and are included in **Appendix E**. In addition, any permit applications and permits received that were included in the files are also included in **Appendix E**.

b. *Documents Relating to Bank Stabilization.*

RESPONSE:

- (i) Bulkheads and other bank stabilization systems, if present, are shown on drawings included in **Appendices C and D**. The bulkhead was already built when Roadway purchased the property in 1985, so detailed drawings of its original construction or applicable permits are not available. Roadway stabilized the bulkhead in 2000/2001. Drawings, reports, permits and other documents pertaining to bank stabilization are presented in **Appendix E**.
- (ii) Attached in **Appendix E**.
- (iii) If present, copies of all correspondence with regulatory authorities relating to Bank Stabilization are included in **Appendix E**.
- (iv) Copies of studies, reports, or plans relating to the construction or maintenance of these are included in **Appendix E**.

10. Outfalls into Newtown Creek.

RESPONSE: On-site storm water drainage occurs via surface runoff directly into one of five outfalls (drywells) located throughout the parking lot, as well as sheet flow. The Grand Street Facility discharges directly to its receiving water, English Kills, which flows to Newtown Creek. The receiving waters are not included in a current 303(d) listing or located in a watershed for which a TMDL has been established and are not water quality-impaired. Locations of the storm water drainage system are shown on drawings included in **Appendix C**. Details of the locations and maintenance of this system are described in the Facility's Storm Water Pollution Prevention Plan (SWPPP), which is included in **Appendix F**. It is possible that all storm water drains previously drained directly into Newtown Creek, although no outfall could presently be detected. In addition to the five drywells, two former catch basins existed in low areas along the east and northeast side of the Facility adjacent to English Kills and Newtown Creek. The catch basins are no longer present due to Facility improvements that have occurred in this area of the Facility. Drawings pertaining to current and previous configurations are presented in **Appendix D**.

[Source: T-187 Storm Water File; Environmental Compliance Services, Inc.'s Storm Water Pollution Prevention Plan (SWPPP), dated March 28, 2007]

11. Construction, Excavation and Land Filling Activities.

a.

RESPONSE: Pertinent drawings identifying construction activities undertaken by YRC relative to Facility improvements are included in **Appendix D**. Additional construction, excavation, and land fill activities conducted at the Facility were completed as part of underground storage tank (UST) installations and removals as well as Newtown Creek bank restoration. They are as follows:

- **January 16, 1987.** Eight 550-gallon leaded gasoline and eight 550-gallon diesel USTs were excavated and removed from the site. These USTs were previously owned by Mobil Oil Corporation (Mobil) and were out-of-service. These USTs are reported to have received NYSDEC closure prior to 1991. Copies of correspondence concerning this activity between YRC, Mobil, and the NYSDEC as well as analytical results from post-excavation sampling are included in **Appendix G**.

[Source: ARCADIS Preliminary Environmental Assessment File; ATC and Associates Inc. Phase I ESA]

- **March 1989.** One 1,000-gallon fuel oil tank was excavated and replaced with one 1,000-gallon fiberglass reinforced plastic (FRP) fuel oil tank. Additionally, a 3,000-gallon steel fuel oil tank near the main office was abandoned in place with concrete slurry. Details pertaining to actual excavation and backfill for this activity were not found in YRC's files. Copies of correspondence concerning this activity between YRC and the NYSDEC are included in **Appendix H**.
- **September 29, 1998.** Two 4,000-gallon diesel USTs, one 2,000-gallon diesel UST, and one 500-gallon used oil UST were closed and removed from the property. The product dispenser was also dismantled. Visually impacted soils totaling approximately 171 tons were excavated, stockpiled, and subsequently transported to a soil recycling facility for disposal along with approximately 40 cubic yards of concrete removed from the UST vaults. No further investigation or response letter was issued by NYSDEC in a letter dated September 12, 2007 for the USTs that were removed in September 1998. Details answering this paragraph are identified in the Underground Storage Tank Closure Report by Apex Environmental, Inc. (Apex), dated February 1999. A copy of that report and the NYSDEC no further action letter for the incident is included in **Appendix I**.

[Source: Preliminary Environmental Assessment File; ATC and Associates Inc. Phase I ESA]

- **2000/2001.** Bank stabilization activities performed by URS Corporation (URS). See Response to Question No. 9 for a description of this activity. Pertinent documents and drawings are included in **Appendix E**.
- **February 28 and March 1, 2011.** One 1,000-gallon No. 2 fuel oil UST and associated piping was excavated and removed from the Grand Street Facility as a result of the UST failing a tightness test that generated NYSDEC Spill Case # 10-04888. The final excavation area was approximately 15' x 12' x 6' in size. All excavated soils were sampled and subsequently returned to the tank grave as backfill material, pending laboratory analytical results. All excavated concrete/asphalt materials were transported off-site for proper disposal. Details answering this paragraph are identified in the Underground Storage Tank Closure Report by Reliance Environmental, Inc. (Reliance), dated March 28, 2011. The New York City Fire Department Affidavit dated March 15, 2011 is included in that report (Attachment D). A copy of that report along with the associated case closure dated

November 30, 2011 is included in **Appendix J**. It should be noted it appears based on the documents contained in YRC's files that a new spill number (Spill Case # 11-03727) was generated for this site on March 1, 2011. The NYSDEC subsequently combined the original spill case number with Spill Case #11-03727 which is closed according to the NYSDEC Spill Incidents Database, as referenced in **Appendix J**.

[Source: Preliminary Environmental Assessment File; Reliance Environmental, Inc. report, dated March 28, 2011]

b.

RESPONSE: See Responses to subparagraph "a" and Site Plan contained in **Appendix C**.

c.

RESPONSE: As discussed in subparagraph "a", excavated materials associated with the February and March, 2011 UST excavation and removal were characterized. YRC does not have record of backfill materials from the other UST activities described above being characterized. Copies of the sampling/characterization results for the UST removal are included in **Appendix J**.

In addition, subsequent site investigations have been performed in response to a Phase II ESA that was conducted by ATC and additional investigations were performed by ARCADIS that addressed fill material. The Phase II ESA is included in **Appendix K** and the ARCADIS site assessment reports addressing the fill material, dated October 23, 2009 and April 25, 2012, are included in **Appendix K**. A No Further Action letter for the site dated February 22, 2013 was received from the NYDEC. A copy of the NFA letter is included in **Appendix K**.

12. Facility Storm Water Drainage.

a.

RESPONSE: On-site storm water drainage occurs via surface runoff directly into one of five outfalls (drywells) located throughout the parking lot, as well as sheet flow. The Grand Street Facility discharges directly to its receiving water, English Kills, which flows to Newtown Creek. The receiving waters are not included in a current 303(d) listing or located in a watershed for which a TMDL has been established and are not water quality-impaired. Locations of the storm water drainage system are shown on drawings included in **Appendix C**. Details of the locations and maintenance of this system are described in

the Facility's Storm Water Pollution Prevention Plan (SWPPP), which is included in **Appendix F**.

[Source: T-187 Storm Water File; Environmental Compliance Services, Inc.'s Storm Water Pollution Prevention Plan (SWPPP), dated March 28, 2007]

b.

RESPONSE: State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit (MSGP) GP-0-12-001 site-specific Permit Identification Number NYR00D143. Authorization to discharge to storm sewer issued March 29, 2013. A name change renewal was issued on December 28, 2007. Copies of the permit, renewal requests, and all data from sampling discharges of storm water are included in **Appendix L**.

[Source: Project file; T-187 Storm Water File]

c.

RESPONSE: A copy of a storm water drywell evaluation report prepared by Metcalf and Eddy, Inc. for the Grand Street Facility, dated October 23, 1998, is included in **Appendix M**.

d.

RESPONSE: See **Appendix C** and **D**, if present, particularly Site Plan A-1 for elevations of the Grand Street Facility relative to Newtown Creek. There was no information in YRC's files indicating whether elevations have changed during the period the company operated at the Facility. YRC has not added nor removed any fill material at the Site to raise or lower the elevations during their occupancy.

13. Facility Process Water Management.

RESPONSE: Not applicable. Except for sanitary waste water from the rest rooms, the Facility does not generate process or waste water streams. For a brief period until 2009, vehicle washing activities took place at the facility. This was performed by a vendor who would wash the vehicles inside portable booms. All wash water would be vacuumed into the vendor's truck to be transported off-site for disposal.

[Source: Project file; T-187 Storm Water File]

14. Connections to New York City sewer system.

a.

RESPONSE: The Facility is currently connected to the New York City sewer. A sewer bill is attached in **Appendix N** as verification. No information relative to when they were first connected was identified. According to Dave Covell, former Service Center Manager, the Site had a storage tank to collect and hold sanitary wastes, which was pumped out periodically. Information as to when this feature was installed and removed was not located.

b.

RESPONSE: Sanitary waste. *See* also Response to Question No. 13.

c.

RESPONSE: For a period of time, sanitary wastes from rest rooms were collected in a tank located outside the terminal building. This was periodically pumped out for off-site disposal by a vendor.

d.

RESPONSE: Based upon a drywell investigation report prepared by Metcalf & Eddy (previously discussed) a floor drain in the garage reportedly discharged to one of the on-site drywells. This drain has subsequently been plugged with concrete. It is possible that on occasion some liquid wastes (spills or drips) could have entered the catch basin.

e.

RESPONSE: No.

f.

RESPONSE: None found.

g.

RESPONSE: None found.

h.

RESPONSE: None found.

15. Other Newtown Creek Properties.

RESPONSE: One potential YRC Worldwide Inc. affiliated property not listed in the 104(e) Request for Information is the New Penn Motor Express facility located at 58-60 Page Place, Maspeth, NY 11378.

16. Storage and Combustion of Coal.

RESPONSE: No.

17. Historic Ownership and Operation of the Facility.

RESPONSE: As identified previously, Roadway bought the facility through bankruptcy court from a combination of Spector Red Ball, Inc. and American Properties Investors III (API). A copy of the Assignment Agreement and Sales Contract is included in **Appendix A**. Due to the bankruptcy, the previous owner no longer exists. The site has been used as a truck terminal since it was built in 1959. Use prior to that is not known. Facility drawings at the time of purchase are also in **Appendix A**.

Section 3.0 Company's Operational Activities

18. Vessels.

RESPONSE: No.

19. Vehicles.

a.

RESPONSE: Yes. YRC utilized the property as a cross-dock truck terminal in which various types of freight were transported to the Facility via trucks, unloaded onto the dock and re-loaded into another trailer and then shipped off of the property, usually within twenty-four hours. Towmotors are used on the dock to carry freight from one truck to another. Tractor trailers or “fleet vehicles” were typically used in connection with these operations. Approximately 15 to 20 tractors and 20 to 25 straight trucks (tractors and trailers) are generally used at this location (they come and go constantly and different tractors and trailers arrive and leave). The loading dock contained 74 bays.

b.

RESPONSE: In addition to the activities identified in subparagraph “a”, the following activities were also conducted in connection with the Facility’s operations:

- Vehicle Maintenance: Vehicle preventive maintenance activities are and have been conducted here, which are essentially light maintenance activities. These include tire changes and inflation; fluid changes or addition; light bulb, wiper blade, belts, hoses, and battery repair or replacement; preventive maintenance; and general safety checks and inspections. The garage where truck maintenance was performed is shown on the Site Plan drawing included in **Appendix C**.
- Vehicle Fueling: Currently, the fueling of fleet vehicles at the Facility is conducted by an outside vendor. A supply tanker equipped with containment socks and oil dry in case of a spill “wet-hose fuel” the fleet vehicles. The location where “wet-hose fueling” occurs is shown on the Site Plan drawing included in **Appendix C**. Approval was received in August 2013 by NYCFD for fueling directly into fuel tanks of trucks. Prior to 1998, on-site fueling was conducted from several USTs. These were removed in 1998 and not replaced.
- Vehicle Washing: At some time in the past, vehicle washing was performed at the Site. Washing was performed by a vendor who would conduct the washing within a

portable containment berm. Liquids would be contained and collected by the vendor's vacuum truck and then transported off-site for disposal. On-site washing was terminated in 2009.

20. Bulk Storage Containers.

a.

RESPONSE: Former and current bulk storage of petroleum and other chemicals related to the Facility's course of operations are as follows:

- Eight 550-gallon leaded gasoline USTs. Unknown installation date. Previously owned by Mobil Oil Corporation who removed the USTs in 1987. Single wall steel construction. The eight USTs had stored leaded gasoline utilized for refueling trucks conducting operations at the Facility. The former location of these closed/removed storage tanks is shown on the Site Plan in Appendix C.
- Eight 550-gallon diesel USTs. Unknown installation date. Previously owned by Mobil Oil Corporation who removed the USTs in 1987. Single wall steel construction. The USTs had stored diesel fuel utilized for refueling trucks conducting operations at the Facility. The former location of these closed/removed storage tanks is shown on the site plan in Appendix C.
- A 2,000-gallon diesel UST. Installed July 1981 and removed September 1998. Single-walled steel construction. Encased in concrete. In-line leak detection was installed by Tanknology Corporation on September 5, 1991. Stored diesel fuel utilized for refueling tractor-trailers conducting operations at the Facility. The former location of this storage tank is shown on the Site Plan in **Appendix C**.
- Two 4,000-gallon diesel USTs. Both were installed July 1981 and removed September 1998. Single-walled steel construction. Encased in concrete. In-line leak detection was installed by Tanknology Corporation on September 5, 1991. Stored diesel fuel utilized for refueling tractor-trailers conducting operations at the Facility. The former location is shown on the Site Plan in **Appendix C**.
- A 500-gallon used oil UST. Installed January 1964 and removed September 1998. Single-walled steel construction. Stored used motor oil that was accumulated during routine maintenance of fleet vehicles. The former location of this storage tank is shown on the Site Plan in **Appendix C**.

- A 3,000-gallon heating oil UST. Installed January 1959 and closed in-place December 1988. Steel construction. This UST contained heating oil as part of the office building heating system and was located on the west side of the office building. The exact location of this in-place abandonment of the UST is shown on the Site Plan in **Appendix C**.
- A 1,000-gallon heating oil UST. Installed December 1988 and removed March 2011. Fiberglass reinforced plastic (FRP) construction. This UST stored No. 2 fuel oil as part of the maintenance garage heating system and had been out of service since November 2009. The location of this former UST is shown on the Site Plan in **Appendix C**.
- A 300-gallon above ground storage tank (AST). Installed July 1991 and presently in use. This AST contains used motor oil that is accumulated during routine maintenance of fleet vehicles. The location of this storage tank is shown on the Site Plan in **Appendix C**.
- A 275-gallon AST. Installed November 2009. This AST contains No. 2 fuel oil for first floor of 2-story building office. The location of this storage tank is shown on the Site Plan in **Appendix C**.
- 55-gallon drums. New and use anti-freeze, new motor oil, new and used brake fluid and transmission fluid and new windshield washer fluid. New products are stored in 55-gallon poly drums and used materials are stored in drums situated on drip collecting pallets. No information was available for annual usage. Files were stored in the basement of the terminal, which got completely flooded and wiped out during hurricane Sandy in 2012. All on-site records were destroyed and disposed of. These drums are stored in the garage, which is shown on the Site Plan in **Appendix C**.

[Source: Environmental files and interviews with previous Terminal/Service Center Managers]

b.

RESPONSE: Any documents related to permitting, inspection, maintenance, cathodic protection, and product inventory levels and correspondence between YRC and regulatory authorities concerning the USTs are included in **Appendix O**. In addition, see **Appendices G through J** for documents pertaining to spills, cleaning, and closure of said tanks.

21. Chemicals and Other Materials Used, Produced and Generated at the Facility.

RESPONSE: Because YRC operates a truck terminal/freight transfer facility, it is possible at this location that many different materials may have been received, shipped, and transferred from one truck to another, on occasion, but it was for shipping purposes only, and these shipments are too voluminous to summarize, even if the information was readily attainable. Additional small quantities of substances are stored on site and include antifreeze, lubricants, and other automotive fluids. These are chemicals used in the daily operation of the Facility's commercial truck fleet.

a.

RESPONSE: See Response to Question No. 21. In addition, materials received on the property for use in the daily operation of the Facility's commercial truck fleet include lube oil and axle oil (5-gallon drum each), motor oil (less than seven 5-gallon drums), solvent parts washer (less than 5-gallon pail), cleaning supplies (less than 25 containers), and car batteries (less than 12). It should be noted that the forklifts utilized at the Grand Street Facility are fueled by propane by an outside vendor on a regularly scheduled basis, thus YRC does not receive or store filled propane cylinders on site. MSDSs are attached in **Appendix P**. Information was not readily available for the annual volume of receipt of such materials.

b.

RESPONSE: It should be noted that YRC does not produce any products or materials. Because YRC operates a truck terminal/freight transfer facility, it is possible at this location that many different products may have been shipped and transferred from one truck to another across the dock, on occasion, but it was for shipping purposes only, and are too voluminous to summarize.

c.

RESPONSE: YRC is a freight trucking company and, based upon the file review, has not generated hazardous substances or industrial wastes at the Grand Street Facility related to shipping operations. Storage or handling of small quantities of hazardous substances in connection with the Facility's vehicle maintenance activities has been summarized previously and is in the Facility's SWPPP. A copy of that document has been included in **Appendix F**. A parts washer is located in the garage, which is maintained by Safety Kleen. They periodically collect the old parts washing materials and replace it with new material. It is not known what was used prior to 1989 at this

location, but subsequent to that time, Roadway banned the use of any chlorinated solvents at all of their facilities, especially in parts washers. Safety Kleen disposes of the parts washer materials at an off-site location. Quantities of these materials used could not be located.

22. Oil/Water Separators.

RESPONSE: It is not believed that any oil water separators are located at the Facility.

23. Pipelines.

RESPONSE: No pipelines serve the facility.

24. Provide a copy, if applicable, of the Company's Spill Prevention Control and Countermeasure Plan and the Company's Storm Water Best Management Practices Plan for the Facility.

RESPONSE: A copy of YRC's SWPPP, dated March 28, 2007 is included in **Appendix F**.

Section 4.0 Civil Litigation, Administrative Enforcement and Criminal Matters.**25. Civil Litigation, Administrative Enforcement and Criminal Matters.**

a.

RESPONSE: No.

b.

RESPONSE: No.

c.

RESPONSE: No.

Section 5.0 Facility Releases, Investigations and Remediation

26. Releases at or from the Facility.

RESPONSE: Yes. Spills and/or releases related to YRC's operation of the Facility are as follows:

- **January 26, 1988.** Spill No. 8708981 was made to the NYSDEC concerning a failed hydrostatic air test involving a 1,000-gallon tank system at the Grand Street Facility. The NYSDEC closed this Spill No. 8708981 on October 7, 1992. The NYSDEC Spill report form and copies of correspondence is included in **Appendix H**.
- **September 30, 1998.** Spill No. 98-08077 was made to NYSDEC concerning the removal of four USTs (one 2,000-gallon diesel UST, two 4,000-gallon diesel USTs, and one 500-gallon waste oil UST), specifically petroleum hydrocarbon impacts associated with the soils surrounding the USTs. Semi-volatile organic compound (SVOC) constituents were reported above their respective NYSDEC TCLP Alternative Guidance Values (AGVs); however, those soil samples that exceeded the NYSDEC AGVs were resubmitted for TCLP semi-volatile analysis and were subsequently reported below all laboratory TCLP semi-volatile detection values. Details of the constituents are included in the Underground Storage Tank Closure Report (Table 1 – Soil Sample Results) included in **Appendix I**. See Response to Question No. 11, subparagraph “a”. The NYSDEC issued a no further action letter for the incident. Copies of correspondence are included in **Appendix I**.
- **July 14, 2001.** A crack in a fuel line resulted in a release of 10 gallons of diesel fuel. The diesel fuel was contained immediately after the release, which was performed by the YRC Hazmat Team which used absorbent material to absorb and contain the material on the asphalt surface. The NYSDEC closed the Spill case (Case No. 1003983) on July 28, 2001.
- **March 2011.** Post-excavation soil samples collected during the removal of a 1,000-gallon No. 2 fuel oil UST indicated several SVOC compounds were above their respective NYSDEC criteria. Reliance contacted the NYSDEC's Spill Hotline and filed a formal release notification (NYSDEC Spill #1103727). See **Appendix J** for copies of correspondence related to this particular release. It should be noted, according to YRC's files, this Spill # has been closed as of November 30, 2011 and was combined with NYSDEC Spill # 0910021.

27. Soil Removal Actions.

RESPONSE: Yes. January 16, 1987; September 29, 1998; and February 28 and March 1, 2011. With the exception of tank removal activities performed by Mobil in January 1987, contaminated soil has been excavated and/or removed in response to two of the four releases discussed in Response to Question No. 26. In addition to the dates provided above, soil excavation and/or removal was performed under the oversight of NYSDEC, with the exception of tank removal activities performed by Mobil in January 1987, as there are no records available in YRC's files to confirm this information. The removal of these USTs by Mobil pre-dated UST removal testing requirements. Locations are shown on the Site Plan included in **Appendix C**. Copies of reports containing descriptions of the soil excavation and data and analysis are included in **Appendices G through J**. Copies of the other documents referenced in this question are included in **Appendices G through J**.

28. Groundwater Action.

RESPONSE: No. YRC has not taken any kind of response action on groundwater under the facility.

29. Sediments.

RESPONSE: No. YRC has not taken any action with respect to the sediments in Newtown Creek.

30. Releases into Subsurface units.

RESPONSE: Yes. There was a release occurring of oily surface water being discharged from the garage floor drain into the storm water sewer through a pipe connected below grade to a dry well. The floor drain has subsequently been plugged with concrete and no longer exists. More information related to this occurring is included in the Storm Water Drywell Evaluation report attached in **Appendix M**.

31. Releases to Newtown Creek.

RESPONSE: No. Although there is some documentation of wastes entering into a dry well on-site, there was no documentation regarding discharges directly into Newtown Creek. There may have been stormwater discharges into Newtown Creek in the past.

32. Environmental Investigations at the Facility.

RESPONSE: In response to the releases discussed in Response to Question No. 26, the following environmental investigations have been conducted at the Grand Street Facility by YRC:

- Phase II Environmental Site Assessment. Initiated and completed by ATC on February 25, 2009. Results of the investigation including the analytical data are included in the report prepared by ATC dated March 17, 2009.
- Groundwater Investigation. Initiated and completed by ARCADIS in August 2009. Results of the investigation are included in the report prepared by ARCADIS dated October 23, 2009.
- Former 1,000 Gallon Underground Storage Tank (UST) Investigation. Initiated on July 12, 2011 and completed on July 13, 2011 by ARCADIS. Results of the investigation including the analytical data are included in the report prepared by ARCADIS dated April 25, 2012.

The documents referenced in this question, and latest NFA letter issued for this site by the NYSDEC, dated February 22, 2013, are attached in **Appendix K**.

33. Monitoring Wells.

RESPONSE: There are currently no monitoring wells located on-site. During previous investigations, temporary monitoring wells were installed with groundwater being tested. Reasons for these wells and test results are presented in several reports. These reports include: Phase II Environmental Site Assessment, **Appendix K**; Groundwater Investigation, **Appendix K**; Former 1,000 Gallon Underground Storage Tank (UST) Investigation **Appendix K**.

34. Phase I, Phase II, EDR and Other Environmental Investigations.

RESPONSE: See **Appendix K**.

Section 6.0 Regulatory Information

35. Regulatory Agencies with Jurisdiction over the Facility.

RESPONSE: The NYSDEC assumed regulatory control over UST issues associated with the Site. The most recent contact for this facility was Jeffrey Vought, (718) 482-4995. The New York City Fire Department also had some oversight regarding UST removal, but mostly from a paperwork/documentation perspective. The primary contact was Deborah S. Metrick, (718) 923-6100. No other regulatory agency has been involved with environmental matters at this facility. Documentation is included in **Appendix K** and **Q**.

36. Notices of Environmental Violation, Deficiency or Accident.

RESPONSE: Yes. Notices of violation (NOVs) for the facility have been issued by the New York City Fire Department (NYCFD) generally due to a lack of documentation regarding either the USTs or ASTs. According to YRC's files, these have been resolved. See **Appendix Q** for NOVs for the Facility issued by the FD and further correspondence relating to them.

37. SPDES Permits.

a.

RESPONSE: See **Appendix L**.

b.

RESPONSE: See **Appendix L**.

c.

RESPONSE: See **Appendix L**.

d.

RESPONSE: Not applicable. No NOVs have been issued for this Facility with respect to SPDES permits.

38. Other Environmental Permits.

RESPONSE: Not applicable. No other environmental permits exist for the Grand Street Facility.

39. Ongoing Remediation.

RESPONSE: Not applicable. There is no ongoing remedial action activities at this facility. Previous remedial activities involved soil removal during IUST removal/closure, which was discussed in previous sections.

Section 7.0 Persons with Responsibility for Environmental Matters; Insurance and Indemnification**40. Persons Having Responsibility for Environmental Matters at the Facility.**

RESPONSE: This has included a number of people over the years.

- 1984 to 1987: Jerry Swart, P.E., Manager- Environmental Services Dept., Roadway Services, Inc., Akron, Ohio [Retired]
- 1987 to 1989: Mark T. Baumgardner- Manager- Environmental Services Dept., Roadway Services, Inc., Akron, Ohio [No longer with company]
- 1989 to 1995: Jerry C. Swart, P.E.- Director- Environmental Services Dept., Roadway Services Dept., Akron, Ohio [Retired]
- 1989 to 2005: Robert E. Zimmermann, CPG- Manager- Environmental Services Dept., Roadway Services, Inc./Roadway Express/YRCW, Akron, Ohio. Currently with ARCADIS as an environmental consultant for YRC.
- 2004 to September 2012: Steven Shinnors- Manager Environmental Services Dept., YRC, Overland Park, KS.
- 2012 (September) to Present: Ruben Byerley- Manager- Environmental Services Dept.- YRC Freight.

41. Insurance and Indemnification:

a.

RESPONSE: YRC does not believe that they have had any insurance policies that provide coverage for the Company for environmental liability for Newtown Creek. However, at the time of this submittal, the Insurance Department is still searching for and reviewing insurance documents to verify this. If documents are found to the contrary, they will be submitted as an addendum to this submittal.

b.

RESPONSE: Not applicable.

c.

RESPONSE: Not applicable.

42. Financial Information

RESPONSE: See a copy of YRC's public financial statements for its most recent fiscal year attached in **Appendix R**.